

House Amendment to  
Senate File 510

S-3233

1 Amend Senate File 510, as passed by the Senate, as  
2 follows:

3 1. By striking everything after the enacting clause  
4 and inserting:

5 <DIVISION I  
6 FY 2011-2012

7 Section 1. DEPARTMENT OF JUSTICE.

8 1. There is appropriated from the general fund  
9 of the state to the department of justice for the  
10 fiscal year beginning July 1, 2011, and ending June 30,  
11 2012, the following amounts, or so much thereof as is  
12 necessary, to be used for the purposes designated:

13 a. For the general office of attorney general for  
14 salaries, support, maintenance, and miscellaneous  
15 purposes, including the prosecuting attorneys training  
16 program, matching funds for federal violence against  
17 women grant programs, victim assistance grants, office  
18 of drug control policy prosecuting attorney program,  
19 and odometer fraud enforcement, and for not more than  
20 the following full-time equivalent positions:

21 ..... \$ 7,292,930  
22 ..... FTEs 212.00

23 It is the intent of the general assembly that as  
24 a condition of receiving the appropriation provided  
25 in this lettered paragraph, the department of justice  
26 shall maintain a record of the estimated time incurred  
27 representing each agency or department.

28 b. For victim assistance grants:  
29 ..... \$ 2,876,400

30 The funds appropriated in this lettered paragraph  
31 shall be used to provide grants to care providers  
32 providing services to crime victims of domestic abuse  
33 or to crime victims of rape and sexual assault.

34 The balance of the victim compensation fund  
35 established in section 915.94 may be used to provide  
36 salary and support of not more than 24 FTEs and  
37 to provide maintenance for the victim compensation  
38 functions of the department of justice.

39 The department of justice may transfer moneys from  
40 the victim compensation fund established in section  
41 915.94 to the victim assistance grant program.

42 c. For legal services for persons in poverty grants  
43 as provided in section 13.34:  
44 ..... \$ 1,000,000

45 2. a. The department of justice, in submitting  
46 budget estimates for the fiscal year commencing July  
47 1, 2012, pursuant to section 8.23, shall include a  
48 report of funding from sources other than amounts  
49 appropriated directly from the general fund of the  
50 state to the department of justice or to the office of

1 consumer advocate. These funding sources shall include  
2 but are not limited to reimbursements from other state  
3 agencies, commissions, boards, or similar entities, and  
4 reimbursements from special funds or internal accounts  
5 within the department of justice. The department of  
6 justice shall also report actual reimbursements for the  
7 fiscal year commencing July 1, 2010, and actual and  
8 expected reimbursements for the fiscal year commencing  
9 July 1, 2011.

10 b. The department of justice shall include the  
11 report required under paragraph "a", as well as  
12 information regarding any revisions occurring as a  
13 result of reimbursements actually received or expected  
14 at a later date, in a report to the co-chairpersons  
15 and ranking members of the joint appropriations  
16 subcommittee on the justice system and the legislative  
17 services agency. The department of justice shall  
18 submit the report on or before January 15, 2012.

19 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is  
20 appropriated from the department of commerce revolving  
21 fund created in section 546.12 to the office of  
22 consumer advocate of the department of justice for the  
23 fiscal year beginning July 1, 2011, and ending June 30,  
24 2012, the following amount, or so much thereof as is  
25 necessary, to be used for the purposes designated:

26 For salaries, support, maintenance, miscellaneous  
27 purposes, and for not more than the following full-time  
28 equivalent positions:

29 ..... \$ 3,136,163  
30 ..... FTEs 22.00

31 Sec. 3. DEPARTMENT OF CORRECTIONS — FACILITIES.

32 1. There is appropriated from the general fund of  
33 the state to the department of corrections for the  
34 fiscal year beginning July 1, 2011, and ending June  
35 30, 2012, the following amounts, or so much thereof as  
36 is necessary, to be used for the operation of adult  
37 correctional institutions, reimbursement of counties  
38 for certain confinement costs, and federal prison  
39 reimbursement, to be allocated as follows:

40 a. For the operation of the Fort Madison  
41 correctional facility, including salaries, support,  
42 maintenance, and miscellaneous purposes:  
43 ..... \$ 41,031,283

44 b. For the operation of the Anamosa correctional  
45 facility, including salaries, support, maintenance, and  
46 miscellaneous purposes:  
47 ..... \$ 31,985,974

48 c. For the operation of the Oakdale correctional  
49 facility, including salaries, support, maintenance, and  
50 miscellaneous purposes:

1 ..... \$ 54,374,426  
2 d. For the operation of the Newton correctional  
3 facility, including salaries, support, maintenance, and  
4 miscellaneous purposes:  
5 ..... \$ 25,958,757  
6 e. For the operation of the Mt. Pleasant  
7 correctional facility, including salaries, support,  
8 maintenance, and miscellaneous purposes:  
9 ..... \$ 25,917,815  
10 f. For the operation of the Rockwell City  
11 correctional facility, including salaries, support,  
12 maintenance, and miscellaneous purposes:  
13 ..... \$ 9,316,466  
14 g. For the operation of the Clarinda correctional  
15 facility, including salaries, support, maintenance, and  
16 miscellaneous purposes:  
17 ..... \$ 24,639,518  
18 Moneys received by the department of corrections as  
19 reimbursement for services provided to the Clarinda  
20 youth corporation are appropriated to the department  
21 and shall be used for the purpose of operating the  
22 Clarinda correctional facility.  
23 h. For the operation of the Mitchellville  
24 correctional facility, including salaries, support,  
25 maintenance, and miscellaneous purposes:  
26 ..... \$ 15,615,374  
27 i. For the operation of the Fort Dodge correctional  
28 facility, including salaries, support, maintenance, and  
29 miscellaneous purposes:  
30 ..... \$ 29,062,235  
31 j. For reimbursement of counties for temporary  
32 confinement of work release and parole violators, as  
33 provided in sections 901.7, 904.908, and 906.17, and  
34 for offenders confined pursuant to section 904.513:  
35 ..... \$ 775,092  
36 k. For federal prison reimbursement, reimbursements  
37 for out-of-state placements, and miscellaneous  
38 contracts:  
39 ..... \$ 239,411  
40 2. The department of corrections shall use moneys  
41 appropriated in subsection 1 to continue to contract  
42 for the services of a Muslim imam and a Native American  
43 spiritual leader.  
44 Sec. 4. DEPARTMENT OF CORRECTIONS —  
45 ADMINISTRATION. There is appropriated from the general  
46 fund of the state to the department of corrections for  
47 the fiscal year beginning July 1, 2011, and ending June  
48 30, 2012, the following amounts, or so much thereof as  
49 is necessary, to be used for the purposes designated:  
50 1. For general administration, including salaries,

1 support, maintenance, employment of an education  
2 director to administer a centralized education  
3 program for the correctional system, and miscellaneous  
4 purposes:

5 ..... \$ 4,835,542

6 a. It is the intent of the general assembly  
7 that as a condition of receiving the appropriation  
8 provided in this lettered paragraph the department of  
9 corrections shall not, except as otherwise provided  
10 in paragraph "c", enter into a new contract, unless  
11 the contract is a renewal of an existing contract,  
12 for the expenditure of moneys in excess of \$100,000  
13 during the fiscal year beginning July 1, 2011, for the  
14 privatization of services performed by the department  
15 using state employees as of July 1, 2011, or for the  
16 privatization of new services by the department without  
17 prior consultation with any applicable state employee  
18 organization affected by the proposed new contract and  
19 prior notification of the co-chairpersons and ranking  
20 members of the joint appropriations subcommittee on the  
21 justice system.

22 b. It is the intent of the general assembly  
23 that each lease negotiated by the department of  
24 corrections with a private corporation for the purpose  
25 of providing private industry employment of inmates in  
26 a correctional institution shall prohibit the private  
27 corporation from utilizing inmate labor for partisan  
28 political purposes for any person seeking election to  
29 public office in this state and that a violation of  
30 this requirement shall result in a termination of the  
31 lease agreement.

32 c. It is the intent of the general assembly that as  
33 a condition of receiving the appropriation provided in  
34 this subsection the department of corrections shall not  
35 enter into a lease or contractual agreement pursuant to  
36 section 904.809 with a private corporation for the use  
37 of building space for the purpose of providing inmate  
38 employment without providing that the terms of the  
39 lease or contract establish safeguards to restrict, to  
40 the greatest extent feasible, access by inmates working  
41 for the private corporation to personal identifying  
42 information of citizens.

43 2. For educational programs for inmates at state  
44 penal institutions:

45 ..... \$ 2,308,109

46 a. As a condition of receiving the appropriation in  
47 this subsection, the department of corrections shall  
48 transfer at least \$300,000 from the canteen operating  
49 funds established pursuant to section 904.310 to be  
50 used for correctional educational programs funded in

1 this subsection.

2 b. It is the intent of the general assembly that  
3 moneys appropriated in this subsection shall be used  
4 solely for the purpose indicated and that the moneys  
5 shall not be transferred for any other purpose. In  
6 addition, it is the intent of the general assembly  
7 that the department shall consult with the community  
8 colleges in the areas in which the institutions  
9 are located to utilize moneys appropriated in this  
10 subsection to fund the high school completion, high  
11 school equivalency diploma, adult literacy, and adult  
12 basic education programs in a manner so as to maintain  
13 these programs at the institutions.

14 c. To maximize the funding for educational  
15 programs, the department shall establish guidelines  
16 and procedures to prioritize the availability of  
17 educational and vocational training for inmates based  
18 upon the goal of facilitating an inmate's successful  
19 release from the correctional institution.

20 d. The director of the department of corrections  
21 may transfer moneys from Iowa prison industries for use  
22 in educational programs for inmates.

23 e. Notwithstanding section 8.33, moneys  
24 appropriated in this subsection that remain unobligated  
25 or unexpended at the close of the fiscal year shall not  
26 revert but shall remain available to be used only for  
27 the purposes designated in this subsection until the  
28 close of the succeeding fiscal year.

29 3. For the development of the Iowa corrections  
30 offender network (ICON) data system:

31 ..... \$ 424,364

32 4. For offender mental health and substance abuse  
33 treatment:

34 ..... \$ 22,319

35 5. For viral hepatitis prevention and treatment:

36 ..... \$ 167,881

37 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF  
38 CORRECTIONAL SERVICES.

39 1. There is appropriated from the general fund of  
40 the state to the department of corrections for the  
41 fiscal year beginning July 1, 2011, and ending June  
42 30, 2012, for salaries, support, maintenance, and  
43 miscellaneous purposes, the following amounts, or  
44 so much thereof as is necessary, to be allocated as  
45 follows:

46 a. For the first judicial district department of  
47 correctional services:

48 ..... \$ 12,020,098

49 b. For the second judicial district department of  
50 correctional services:

1 ..... \$ 10,336,948  
2 c. For the third judicial district department of  
3 correctional services:  
4 ..... \$ 5,599,765  
5 d. For the fourth judicial district department of  
6 correctional services:  
7 ..... \$ 5,391,355  
8 e. For the fifth judicial district department of  
9 correctional services, including funding for electronic  
10 monitoring devices for use on a statewide basis:  
11 ..... \$ 18,742,129  
12 f. For the sixth judicial district department of  
13 correctional services:  
14 ..... \$ 13,112,563  
15 g. For the seventh judicial district department of  
16 correctional services:  
17 ..... \$ 6,492,814  
18 h. For the eighth judicial district department of  
19 correctional services:  
20 ..... \$ 6,731,055  
21 2. Each judicial district department of  
22 correctional services, within the funding available,  
23 shall continue programs and plans established within  
24 that district to provide for intensive supervision, sex  
25 offender treatment, diversion of low-risk offenders  
26 to the least restrictive sanction available, job  
27 development, and expanded use of intermediate criminal  
28 sanctions.  
29 3. Each judicial district department of  
30 correctional services shall provide alternatives to  
31 prison consistent with chapter 901B. The alternatives  
32 to prison shall ensure public safety while providing  
33 maximum rehabilitation to the offender. A judicial  
34 district department of correctional services may also  
35 establish a day program.  
36 4. The governor's office of drug control policy  
37 shall consider federal grants made to the department  
38 of corrections for the benefit of each of the eight  
39 judicial district departments of correctional services  
40 as local government grants, as defined pursuant to  
41 federal regulations.  
42 5. The department of corrections shall continue  
43 to contract with a judicial district department  
44 of correctional services to provide for the rental  
45 of electronic monitoring equipment which shall be  
46 available statewide.  
47 6. A judicial district department of correctional  
48 services shall accept into the facilities of the  
49 district department, offenders assigned from other  
50 judicial district departments of correctional services.

1       Sec. 6. DEPARTMENT OF CORRECTIONS — REALLOCATION  
2 OF APPROPRIATIONS. Notwithstanding section 8.39,  
3 within the moneys appropriated in this Act to the  
4 department of corrections, the department may  
5 reallocate the moneys appropriated and allocated as  
6 necessary to best fulfill the needs of the correctional  
7 institutions, administration of the department, and the  
8 judicial district departments of correctional services.  
9 However, in addition to complying with the requirements  
10 of sections 904.116 and 905.8 and providing notice  
11 to the legislative services agency, the department  
12 of corrections shall also provide notice to the  
13 department of management, prior to the effective date  
14 of the revision or reallocation of an appropriation  
15 made pursuant to this section. The department of  
16 corrections shall not reallocate an appropriation or  
17 allocation for the purpose of eliminating any program.

18       Sec. 7. INTENT — REPORTS.

19       1. The department of corrections in cooperation  
20 with townships, the Iowa cemetery associations, and  
21 other nonprofit or governmental entities may use inmate  
22 labor during the fiscal year beginning July 1, 2011,  
23 to restore or preserve rural cemeteries and historical  
24 landmarks. The department in cooperation with the  
25 counties may also use inmate labor to clean up roads,  
26 major water sources, and other water sources around the  
27 state.

28       2. On a quarterly basis the department shall  
29 provide a status report regarding private-sector  
30 employment to the legislative services agency beginning  
31 on July 1, 2011. The report shall include the number  
32 of offenders employed in the private sector, the  
33 combined number of hours worked by the offenders, the  
34 total amount of allowances, and the distribution of  
35 allowances pursuant to section 904.702, including any  
36 moneys deposited in the general fund of the state.

37       Sec. 8. ELECTRONIC MONITORING REPORT. The  
38 department of corrections shall submit a report on  
39 electronic monitoring to the general assembly, to the  
40 co-chairpersons and the ranking members of the joint  
41 appropriations subcommittee on the justice system, and  
42 to the legislative services agency by January 15, 2012.  
43 The report shall specifically address the number of  
44 persons being electronically monitored and break down  
45 the number of persons being electronically monitored  
46 by offense committed. The report shall also include a  
47 comparison of any data from the prior fiscal year with  
48 the current year.

49       Sec. 9. STATE AGENCY PURCHASES FROM PRISON  
50 INDUSTRIES.

1 1. As used in this section, unless the context  
2 otherwise requires, "state agency" means the government  
3 of the state of Iowa, including but not limited to  
4 all executive branch departments, agencies, boards,  
5 bureaus, and commissions, the judicial branch,  
6 the general assembly and all legislative agencies,  
7 institutions within the purview of the state board of  
8 regents, and any corporation whose primary function is  
9 to act as an instrumentality of the state.

10 2. State agencies are hereby encouraged to purchase  
11 products from Iowa state industries, as defined in  
12 section 904.802, when purchases are required and the  
13 products are available from Iowa state industries.  
14 State agencies shall obtain bids from Iowa state  
15 industries for purchases of office furniture during the  
16 fiscal year beginning July 1, 2011, exceeding \$5,000  
17 or in accordance with applicable administrative rules  
18 related to purchases for the agency.

19 Sec. 10. IOWA LAW ENFORCEMENT ACADEMY.

20 1. There is appropriated from the general fund of  
21 the state to the Iowa law enforcement academy for the  
22 fiscal year beginning July 1, 2011, and ending June 30,  
23 2012, the following amount, or so much thereof as is  
24 necessary, to be used for the purposes designated:

25 For salaries, support, maintenance, miscellaneous  
26 purposes, including jailer training and technical  
27 assistance, and for not more than the following  
28 full-time equivalent positions:

29 .....	\$	448,500
30 .....	FTEs	24.55

31 It is the intent of the general assembly that the  
32 Iowa law enforcement academy may provide training of  
33 state and local law enforcement personnel concerning  
34 the recognition of and response to persons with  
35 Alzheimer's disease.

36 The Iowa law enforcement academy may temporarily  
37 exceed and draw more than the amount appropriated in  
38 this subsection and incur a negative cash balance as  
39 long as there are receivables equal to or greater than  
40 the negative balance and the amount appropriated in  
41 this subsection is not exceeded at the close of the  
42 fiscal year.

43 2. The Iowa law enforcement academy may select  
44 at least five automobiles of the department of public  
45 safety, division of state patrol, prior to turning over  
46 the automobiles to the department of administrative  
47 services to be disposed of by public auction, and  
48 the Iowa law enforcement academy may exchange any  
49 automobile owned by the academy for each automobile  
50 selected if the selected automobile is used in training

1 law enforcement officers at the academy. However,  
2 any automobile exchanged by the academy shall be  
3 substituted for the selected vehicle of the department  
4 of public safety and sold by public auction with the  
5 receipts being deposited in the depreciation fund to  
6 the credit of the department of public safety, division  
7 of state patrol.

8 Sec. 11. STATE PUBLIC DEFENDER. There is  
9 appropriated from the general fund of the state to the  
10 office of the state public defender of the department  
11 of inspections and appeals for the fiscal year  
12 beginning July 1, 2011, and ending June 30, 2012, the  
13 following amounts, or so much thereof as is necessary,  
14 to be allocated as follows for the purposes designated:

15 1. For salaries, support, maintenance,  
16 miscellaneous purposes, and for not more than the  
17 following full-time equivalent positions:  
18 ..... \$ 24,083,182  
19 ..... FTEs 219.00

20 2. For the fees of court-appointed attorneys for  
21 indigent adults and juveniles, in accordance with  
22 section 232.141 and chapter 815:  
23 ..... \$ 29,680,929

24 Sec. 12. BOARD OF PAROLE. There is appropriated  
25 from the general fund of the state to the board of  
26 parole for the fiscal year beginning July 1, 2011, and  
27 ending June 30, 2012, the following amount, or so much  
28 thereof as is necessary, to be used for the purposes  
29 designated:

30 For salaries, support, maintenance, miscellaneous  
31 purposes, and for not more than the following full-time  
32 equivalent positions:  
33 ..... \$ 1,053,835  
34 ..... FTEs 12.50

35 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is  
36 appropriated from the general fund of the state to  
37 the department of public defense for the fiscal year  
38 beginning July 1, 2011, and ending June 30, 2012, the  
39 following amounts, or so much thereof as is necessary,  
40 to be used for the purposes designated:

41 1. MILITARY DIVISION  
42 For salaries, support, maintenance, miscellaneous  
43 purposes, and for not more than the following full-time  
44 equivalent positions:  
45 ..... \$ 5,527,042  
46 ..... FTEs 313.00

47 The military division may temporarily exceed  
48 and draw more than the amount appropriated in this  
49 subsection and incur a negative cash balance as long  
50 as there are receivables of federal funds equal to

1 or greater than the negative balance and the amount  
2 appropriated in this subsection is not exceeded at the  
3 close of the fiscal year.

4 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
5 DIVISION

6 For salaries, support, maintenance, miscellaneous  
7 purposes, and for not more than the following full-time  
8 equivalent positions:

9 ..... \$ 1,836,877  
10 ..... FTEs 40.00

11 a. The homeland security and emergency management  
12 division may temporarily exceed and draw more than the  
13 amount appropriated in this subsection and incur a  
14 negative cash balance as long as there are receivables  
15 of federal funds equal to or greater than the negative  
16 balance and the amount appropriated in this subsection  
17 is not exceeded at the close of the fiscal year.

18 b. It is the intent of the general assembly that  
19 the homeland security and emergency management division  
20 work in conjunction with the department of public  
21 safety, to the extent possible, when gathering and  
22 analyzing information related to potential domestic  
23 or foreign security threats, and when monitoring such  
24 threats.

25 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is  
26 appropriated from the general fund of the state to  
27 the department of public safety for the fiscal year  
28 beginning July 1, 2011, and ending June 30, 2012, the  
29 following amounts, or so much thereof as is necessary,  
30 to be used for the purposes designated:

31 1. For the department's administrative functions,  
32 including the criminal justice information system, and  
33 for not more than the following full-time equivalent  
34 positions:

35 ..... \$ 4,007,075  
36 ..... FTEs 36.00

37 2. For the division of criminal investigation,  
38 including the state's contribution to the peace  
39 officers' retirement, accident, and disability system  
40 provided in chapter 97A in the amount of the state's  
41 normal contribution rate, as defined in section  
42 97A.8, multiplied by the salaries for which the  
43 funds are appropriated, to meet federal fund matching  
44 requirements, and for not more than the following  
45 full-time equivalent positions:

46 ..... \$ 12,533,931  
47 ..... FTEs 159.10

48 The department shall employ one additional special  
49 agent and one additional criminalist for the purpose  
50 of investigating cold cases. Prior to employing the

1 additional special agent and criminalist authorized  
2 in this paragraph, the department shall provide a  
3 written statement to prospective employees that states  
4 to the effect that the positions are being funded by  
5 a temporary federal grant and there are no assurances  
6 that funds from other sources will be available after  
7 the federal funding expires. If the federal funding  
8 for the additional positions expires during the fiscal  
9 year, the number of full-time equivalent positions  
10 authorized in this subsection is reduced by 2.00 FTEs.

11 3. For the criminalistics laboratory fund created  
12 in section 691.9:

13 ..... \$ 302,345

14 4. a. For the division of narcotics enforcement,  
15 including the state's contribution to the peace  
16 officers' retirement, accident, and disability system  
17 provided in chapter 97A in the amount of the state's  
18 normal contribution rate, as defined in section  
19 97A.8, multiplied by the salaries for which the  
20 funds are appropriated, to meet federal fund matching  
21 requirements, and for not more than the following  
22 full-time equivalent positions:

23 ..... \$ 6,429,884

24 ..... FTEs 74.00

25 b. For the division of narcotics enforcement for  
26 undercover purchases:

27 ..... \$ 109,042

28 5. For the division of state fire marshal, for fire  
29 protection services as provided through the state fire  
30 service and emergency response council as created in  
31 the department, and for the state's contribution to the  
32 peace officers' retirement, accident, and disability  
33 system provided in chapter 97A in the amount of the  
34 state's normal contribution rate, as defined in section  
35 97A.8, multiplied by the salaries for which the funds  
36 are appropriated, and for not more than the following  
37 full-time equivalent positions:

38 ..... \$ 4,298,707

39 ..... FTEs 55.00

40 6. For the division of state patrol, for salaries,  
41 support, maintenance, workers' compensation costs,  
42 and miscellaneous purposes, including the state's  
43 contribution to the peace officers' retirement,  
44 accident, and disability system provided in chapter 97A  
45 in the amount of the state's normal contribution rate,  
46 as defined in section 97A.8, multiplied by the salaries  
47 for which the funds are appropriated, and for not more  
48 than the following full-time equivalent positions:

49 ..... \$ 51,903,233

50 ..... FTEs 513.00

1 It is the intent of the general assembly that  
2 members of the state patrol be assigned to patrol  
3 the highways and roads in lieu of assignments for  
4 inspecting school buses for the school districts.

5 7. For deposit in the sick leave benefits fund  
6 established under section 80.42 for all departmental  
7 employees eligible to receive benefits for accrued sick  
8 leave under the collective bargaining agreement:  
9 ..... \$ 279,517

10 8. For costs associated with the training and  
11 equipment needs of volunteer fire fighters:  
12 ..... \$ 575,520

13 a. Notwithstanding section 8.33, moneys  
14 appropriated in this subsection that remain  
15 unencumbered or unobligated at the close of the fiscal  
16 year shall not revert but shall remain available for  
17 expenditure only for the purpose designated in this  
18 subsection until the close of the succeeding fiscal  
19 year.

20 b. Notwithstanding section 8.39, within the  
21 moneys appropriated in this section, the department  
22 of public safety may reallocate moneys as necessary  
23 to best fulfill the needs provided for in the  
24 appropriation. However, the department shall not  
25 reallocate an appropriation made to the department  
26 in this section unless notice of the reallocation  
27 is given to the legislative services agency and  
28 the department of management prior to the effective  
29 date of the reallocation. The notice shall include  
30 information regarding the rationale for reallocating  
31 the appropriation. The department shall not reallocate  
32 an appropriation made in this section for the purpose  
33 of eliminating any program.

34 Sec. 15. GAMING ENFORCEMENT.

35 1. There is appropriated from the gaming  
36 enforcement revolving fund created in section 80.43 to  
37 the department of public safety for the fiscal year  
38 beginning July 1, 2011, and ending June 30, 2012, the  
39 following amount, or so much thereof as is necessary,  
40 to be used for the purposes designated:

41 For any direct and indirect support costs for  
42 agents and officers of the division of criminal  
43 investigation's excursion gambling boat, gambling  
44 structure, and racetrack enclosure enforcement  
45 activities, including salaries, support, maintenance,  
46 miscellaneous purposes, and for not more than the  
47 following full-time equivalent positions:  
48 ..... \$ 9,836,306  
49 ..... FTEs 120.00

50 2. For each additional license to conduct gambling

1 games on an excursion gambling boat, gambling  
2 structure, or racetrack enclosure issued during  
3 the fiscal year beginning July 1, 2011, there is  
4 appropriated from the gaming enforcement fund to  
5 the department of public safety for the fiscal year  
6 beginning July 1, 2011, and ending June 30, 2012, an  
7 additional amount of not more than \$521,000 to be used  
8 for not more than 6.00 additional full-time equivalent  
9 positions.

10 3. The department of public safety, with the  
11 approval of the department of management, may employ  
12 no more than two special agents and four gaming  
13 enforcement officers for each additional riverboat  
14 or gambling structure regulated after July 1, 2011,  
15 and one special agent for each racing facility which  
16 becomes operational during the fiscal year which  
17 begins July 1, 2011. One additional gaming enforcement  
18 officer, up to a total of four per riverboat or  
19 gambling structure, may be employed for each riverboat  
20 or gambling structure that has extended operations to  
21 24 hours and has not previously operated with a 24-hour  
22 schedule. Positions authorized in this subsection  
23 are in addition to the full-time equivalent positions  
24 otherwise authorized in this section.

25 Sec. 16. CIVIL RIGHTS COMMISSION. There is  
26 appropriated from the general fund of the state to the  
27 Iowa state civil rights commission for the fiscal year  
28 beginning July 1, 2011, and ending June 30, 2012, the  
29 following amount, or so much thereof as is necessary,  
30 to be used for the purposes designated:

31 For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-time  
33 equivalent positions:

34 ..... \$ 1,297,069  
35 ..... FTEs 28.00

36 The Iowa state civil rights commission may enter  
37 into a contract with a nonprofit organization to  
38 provide legal assistance to resolve civil rights  
39 complaints.

40 Sec. 17. 2009 Iowa Acts, chapter 178, section 20,  
41 is amended to read as follows:

42 SEC. 20. CONSUMER EDUCATION AND LITIGATION  
43 FUND. Notwithstanding section 714.16C, for each  
44 fiscal year of the period beginning July 1, 2008, and  
45 ending June 30, ~~2011~~ 2013, the annual appropriations  
46 in section 714.16C, are increased from \$1,125,000 to  
47 \$1,875,000, and \$75,000 to \$125,000 respectively.  
48 Moneys appropriated from the consumer education and  
49 litigation fund may be allocated for cash flow purposes  
50 to the victim compensation fund established in section

1 915.94 during each of the fiscal years enumerated,  
2 provided that any moneys so allocated are returned to  
3 the consumer education and litigation fund by the end  
4 of each fiscal year an allocation occurs.

5 Sec. 18. IOWA COMMUNICATIONS NETWORK. It is the  
6 intent of the general assembly that the executive  
7 branch agencies receiving an appropriation in this Act  
8 utilize the Iowa communications network or secure other  
9 electronic communications in lieu of traveling for the  
10 fiscal year addressed by the appropriations.

11 Sec. 19. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
12 DIVISION. There is appropriated from the wireless  
13 E911 emergency communications fund created in section  
14 34A.7A to the administrator of the homeland security  
15 and emergency management division of the department of  
16 public defense for the fiscal year beginning July 1,  
17 2011, and ending June 30, 2012, an amount not exceeding  
18 \$200,000 to be used for implementation, support, and  
19 maintenance of the functions of the administrator and  
20 program manager under chapter 34A and to employ the  
21 auditor of the state to perform an annual audit of the  
22 wireless E911 emergency communications fund.

23 Sec. 20. SUPERVISORY EMPLOYEES TO OTHER EMPLOYEES  
24 — RATIO. Notwithstanding section 8A.402, subsection  
25 2, paragraph "g", for the fiscal year beginning July  
26 1, 2011, the department of corrections, department of  
27 public safety, and the judicial district departments of  
28 correctional services shall be exempt from the target  
29 ratio of supervisory employees to other employees  
30 otherwise applicable for that fiscal year under section  
31 8A.402, subsection 2, paragraph "g".

32 Sec. 21. GERIATRIC AND PSYCHIATRIC TREATMENT  
33 REPORT. The departments of corrections, human  
34 services, inspections and appeals, and public health,  
35 and the board of parole, shall jointly study the  
36 development and establishment of treatment options  
37 for geriatric and psychiatric patients currently  
38 under the care, custody, and control of the state  
39 to provide maximum treatment opportunities for such  
40 persons while achieving fiscal efficiencies. The  
41 department of corrections in consultation with the  
42 other departments and the board of parole, shall  
43 provide a report detailing the results of the study  
44 to the co-chairpersons and the ranking members of the  
45 joint appropriations subcommittee on health and human  
46 services, the co-chairpersons and ranking members  
47 of the joint appropriations subcommittee on justice  
48 system, and the legislative services agency by November  
49 15, 2011.

50 DIVISION II

Sec. 22. DEPARTMENT OF JUSTICE.

1. There is appropriated from the general fund of the state to the department of justice for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For the general office of attorney general for salaries, support, maintenance, and miscellaneous purposes, including the prosecuting attorneys training program, matching funds for federal violence against women grant programs, victim assistance grants, office of drug control policy prosecuting attorney program, and odometer fraud enforcement, and for not more than the following full-time equivalent positions:

..... \$ 7,942,930
..... FTEs 212.00

It is the intent of the general assembly that as a condition of receiving the appropriation provided in this lettered paragraph, the department of justice shall maintain a record of the estimated time incurred representing each agency or department.

b. For victim assistance grants:

..... \$ 2,876,400

The funds appropriated in this lettered paragraph shall be used to provide grants to care providers providing services to crime victims of domestic abuse or to crime victims of rape and sexual assault.

The balance of the victim compensation fund established in section 915.94 may be used to provide salary and support of not more than 24 FTEs and to provide maintenance for the victim compensation functions of the department of justice.

The department of justice may transfer moneys from the victim compensation fund established in section 915.94 to the victim assistance grant program.

c. For legal services for persons in poverty grants as provided in section 13.34:

..... \$ 1,800,000

2. a. The department of justice, in submitting budget estimates for the fiscal year commencing July 1, 2013, pursuant to section 8.23, shall include a report of funding from sources other than amounts appropriated directly from the general fund of the state to the department of justice or to the office of consumer advocate. These funding sources shall include but are not limited to reimbursements from other state agencies, commissions, boards, or similar entities, and reimbursements from special funds or internal accounts within the department of justice. The department of

1 justice shall also report actual reimbursements for the  
2 fiscal year commencing July 1, 2011, and actual and  
3 expected reimbursements for the fiscal year commencing  
4 July 1, 2012.

5 b. The department of justice shall include the  
6 report required under paragraph "a", as well as  
7 information regarding any revisions occurring as a  
8 result of reimbursements actually received or expected  
9 at a later date, in a report to the co-chairpersons  
10 and ranking members of the joint appropriations  
11 subcommittee on the justice system and the legislative  
12 services agency. The department of justice shall  
13 submit the report on or before January 15, 2013.

14 Sec. 23. OFFICE OF CONSUMER ADVOCATE. There is  
15 appropriated from the department of commerce revolving  
16 fund created in section 546.12 to the office of  
17 consumer advocate of the department of justice for the  
18 fiscal year beginning July 1, 2012, and ending June 30,  
19 2013, the following amount, or so much thereof as is  
20 necessary, to be used for the purposes designated:

21 For salaries, support, maintenance, miscellaneous  
22 purposes, and for not more than the following full-time  
23 equivalent positions:

24 ..... \$ 3,136,163  
25 ..... FTEs 22.00

26 Sec. 24. DEPARTMENT OF CORRECTIONS — FACILITIES.

27 1. There is appropriated from the general fund of  
28 the state to the department of corrections for the  
29 fiscal year beginning July 1, 2012, and ending June  
30 30, 2013, the following amounts, or so much thereof as  
31 is necessary, to be used for the operation of adult  
32 correctional institutions, reimbursement of counties  
33 for certain confinement costs, and federal prison  
34 reimbursement, to be allocated as follows:

35 a. For the operation of the Fort Madison  
36 correctional facility, including salaries, support,  
37 maintenance, and miscellaneous purposes:  
38 ..... \$ 41,031,283

39 b. For the operation of the Anamosa correctional  
40 facility, including salaries, support, maintenance, and  
41 miscellaneous purposes:  
42 ..... \$ 31,985,974

43 c. For the operation of the Oakdale correctional  
44 facility, including salaries, support, maintenance, and  
45 miscellaneous purposes:  
46 ..... \$ 54,374,426

47 d. For the operation of the Newton correctional  
48 facility, including salaries, support, maintenance, and  
49 miscellaneous purposes:  
50 ..... \$ 25,958,757

1 e. For the operation of the Mt. Pleasant  
 2 correctional facility, including salaries, support,  
 3 maintenance, and miscellaneous purposes:  
 4 ..... \$ 25,917,815  
 5 f. For the operation of the Rockwell City  
 6 correctional facility, including salaries, support,  
 7 maintenance, and miscellaneous purposes:  
 8 ..... \$ 9,316,466  
 9 g. For the operation of the Clarinda correctional  
 10 facility, including salaries, support, maintenance, and  
 11 miscellaneous purposes:  
 12 ..... \$ 24,639,518  
 13 Moneys received by the department of corrections as  
 14 reimbursement for services provided to the Clarinda  
 15 youth corporation are appropriated to the department  
 16 and shall be used for the purpose of operating the  
 17 Clarinda correctional facility.  
 18 h. For the operation of the Mitchellville  
 19 correctional facility, including salaries, support,  
 20 maintenance, and miscellaneous purposes:  
 21 ..... \$ 15,615,374  
 22 i. For the operation of the Fort Dodge correctional  
 23 facility, including salaries, support, maintenance, and  
 24 miscellaneous purposes:  
 25 ..... \$ 29,062,235  
 26 j. For reimbursement of counties for temporary  
 27 confinement of work release and parole violators, as  
 28 provided in sections 901.7, 904.908, and 906.17, and  
 29 for offenders confined pursuant to section 904.513:  
 30 ..... \$ 775,092  
 31 k. For federal prison reimbursement, reimbursements  
 32 for out-of-state placements, and miscellaneous  
 33 contracts:  
 34 ..... \$ 239,411  
 35 2. The department of corrections shall use moneys  
 36 appropriated in subsection 1 to continue to contract  
 37 for the services of a Muslim imam and a Native American  
 38 spiritual leader.  
 39 Sec. 25. DEPARTMENT OF CORRECTIONS —  
 40 ADMINISTRATION.  
 41 There is appropriated from the general fund of  
 42 the state to the department of corrections for the  
 43 fiscal year beginning July 1, 2012, and ending June 30,  
 44 2013, the following amounts, or so much thereof as is  
 45 necessary, to be used for the purposes designated:  
 46 1. For general administration, including salaries,  
 47 support, maintenance, employment of an education  
 48 director to administer a centralized education  
 49 program for the correctional system, and miscellaneous  
 50 purposes:

1 ..... \$ 4,835,542

2 a. It is the intent of the general assembly  
3 that as a condition of receiving the appropriation  
4 provided in this lettered paragraph the department of  
5 corrections shall not, except as otherwise provided  
6 in paragraph "c", enter into a new contract, unless  
7 the contract is a renewal of an existing contract,  
8 for the expenditure of moneys in excess of \$100,000  
9 during the fiscal year beginning July 1, 2012, for the  
10 privatization of services performed by the department  
11 using state employees as of July 1, 2012, or for the  
12 privatization of new services by the department without  
13 prior consultation with any applicable state employee  
14 organization affected by the proposed new contract and  
15 prior notification of the co-chairpersons and ranking  
16 members of the joint appropriations subcommittee on the  
17 justice system.

18 b. It is the intent of the general assembly  
19 that each lease negotiated by the department of  
20 corrections with a private corporation for the purpose  
21 of providing private industry employment of inmates in  
22 a correctional institution shall prohibit the private  
23 corporation from utilizing inmate labor for partisan  
24 political purposes for any person seeking election to  
25 public office in this state and that a violation of  
26 this requirement shall result in a termination of the  
27 lease agreement.

28 c. It is the intent of the general assembly that as  
29 a condition of receiving the appropriation provided in  
30 this subsection the department of corrections shall not  
31 enter into a lease or contractual agreement pursuant to  
32 section 904.809 with a private corporation for the use  
33 of building space for the purpose of providing inmate  
34 employment without providing that the terms of the  
35 lease or contract establish safeguards to restrict, to  
36 the greatest extent feasible, access by inmates working  
37 for the private corporation to personal identifying  
38 information of citizens.

39 2. For educational programs for inmates at state  
40 penal institutions:

41 ..... \$ 2,308,109

42 a. As a condition of receiving the appropriation in  
43 this subsection, the department of corrections shall  
44 transfer at least \$300,000 from the canteen operating  
45 funds established pursuant to section 904.310 to be  
46 used for correctional educational programs funded in  
47 this subsection.

48 b. It is the intent of the general assembly that  
49 moneys appropriated in this subsection shall be used  
50 solely for the purpose indicated and that the moneys

1 shall not be transferred for any other purpose. In  
2 addition, it is the intent of the general assembly  
3 that the department shall consult with the community  
4 colleges in the areas in which the institutions  
5 are located to utilize moneys appropriated in this  
6 subsection to fund the high school completion, high  
7 school equivalency diploma, adult literacy, and adult  
8 basic education programs in a manner so as to maintain  
9 these programs at the institutions.

10 c. To maximize the funding for educational  
11 programs, the department shall establish guidelines  
12 and procedures to prioritize the availability of  
13 educational and vocational training for inmates based  
14 upon the goal of facilitating an inmate's successful  
15 release from the correctional institution.

16 d. The director of the department of corrections  
17 may transfer moneys from Iowa prison industries for use  
18 in educational programs for inmates.

19 e. Notwithstanding section 8.33, moneys  
20 appropriated in this subsection that remain unobligated  
21 or unexpended at the close of the fiscal year shall not  
22 revert but shall remain available to be used only for  
23 the purposes designated in this subsection until the  
24 close of the succeeding fiscal year.

25 3. For the development of the Iowa corrections  
26 offender network (ICON) data system:

27 ..... \$ 424,364

28 4. For offender mental health and substance abuse  
29 treatment:

30 ..... \$ 22,319

31 5. For viral hepatitis prevention and treatment:

32 ..... \$ 167,881

33 6. For a pilot project establishing a geriatric and  
34 psychiatric unit for persons under the care, custody,  
35 and control of the state:

36 ..... \$ 1,665,000

37 Sec. 26. JUDICIAL DISTRICT DEPARTMENTS OF  
38 CORRECTIONAL SERVICES.

39 1. There is appropriated from the general fund of  
40 the state to the department of corrections for the  
41 fiscal year beginning July 1, 2012, and ending June  
42 30, 2013, for salaries, support, maintenance, and  
43 miscellaneous purposes, the following amounts, or  
44 so much thereof as is necessary, to be allocated as  
45 follows:

46 a. For the first judicial district department of  
47 correctional services:

48 ..... \$ 12,020,098

49 b. For the second judicial district department of  
50 correctional services:

1 ..... \$ 10,336,948  
2 c. For the third judicial district department of  
3 correctional services:  
4 ..... \$ 5,599,765  
5 d. For the fourth judicial district department of  
6 correctional services:  
7 ..... \$ 5,391,355  
8 e. For the fifth judicial district department of  
9 correctional services, including funding for electronic  
10 monitoring devices for use on a statewide basis:  
11 ..... \$ 18,742,129  
12 f. For the sixth judicial district department of  
13 correctional services:  
14 ..... \$ 13,112,563  
15 g. For the seventh judicial district department of  
16 correctional services:  
17 ..... \$ 6,492,814  
18 h. For the eighth judicial district department of  
19 correctional services:  
20 ..... \$ 6,731,055  
21 2. Each judicial district department of  
22 correctional services, within the funding available,  
23 shall continue programs and plans established within  
24 that district to provide for intensive supervision, sex  
25 offender treatment, diversion of low-risk offenders  
26 to the least restrictive sanction available, job  
27 development, and expanded use of intermediate criminal  
28 sanctions.  
29 3. Each judicial district department of  
30 correctional services shall provide alternatives to  
31 prison consistent with chapter 901B. The alternatives  
32 to prison shall ensure public safety while providing  
33 maximum rehabilitation to the offender. A judicial  
34 district department of correctional services may also  
35 establish a day program.  
36 4. The governor's office of drug control policy  
37 shall consider federal grants made to the department  
38 of corrections for the benefit of each of the eight  
39 judicial district departments of correctional services  
40 as local government grants, as defined pursuant to  
41 federal regulations.  
42 5. The department of corrections shall continue  
43 to contract with a judicial district department  
44 of correctional services to provide for the rental  
45 of electronic monitoring equipment which shall be  
46 available statewide.  
47 6. A judicial district department of correctional  
48 services shall accept into the facilities of the  
49 district department, offenders assigned from other  
50 judicial district departments of correctional services.

1       Sec. 27. DEPARTMENT OF CORRECTIONS — REALLOCATION  
2 OF APPROPRIATIONS. Notwithstanding section 8.39,  
3 within the moneys appropriated in this division of this  
4 Act to the department of corrections, the department  
5 may reallocate the moneys appropriated and allocated as  
6 necessary to best fulfill the needs of the correctional  
7 institutions, administration of the department, and the  
8 judicial district departments of correctional services.  
9 However, in addition to complying with the requirements  
10 of sections 904.116 and 905.8 and providing notice  
11 to the legislative services agency, the department  
12 of corrections shall also provide notice to the  
13 department of management, prior to the effective date  
14 of the revision or reallocation of an appropriation  
15 made pursuant to this section. The department of  
16 corrections shall not reallocate an appropriation or  
17 allocation for the purpose of eliminating any program.

18       Sec. 28. INTENT — REPORTS.

19       1. The department of corrections in cooperation  
20 with townships, the Iowa cemetery associations, and  
21 other nonprofit or governmental entities may use inmate  
22 labor during the fiscal year beginning July 1, 2012,  
23 to restore or preserve rural cemeteries and historical  
24 landmarks. The department in cooperation with the  
25 counties may also use inmate labor to clean up roads,  
26 major water sources, and other water sources around the  
27 state.

28       2. On a quarterly basis the department shall  
29 provide a status report regarding private-sector  
30 employment to the legislative services agency beginning  
31 on July 1, 2012. The report shall include the number  
32 of offenders employed in the private sector, the  
33 combined number of hours worked by the offenders, the  
34 total amount of allowances, and the distribution of  
35 allowances pursuant to section 904.702, including any  
36 moneys deposited in the general fund of the state.

37       Sec. 29. ELECTRONIC MONITORING REPORT. The  
38 department of corrections shall submit a report on  
39 electronic monitoring to the general assembly, to the  
40 co-chairpersons and the ranking members of the joint  
41 appropriations subcommittee on the justice system, and  
42 to the legislative services agency by January 15, 2013.  
43 The report shall specifically address the number of  
44 persons being electronically monitored and break down  
45 the number of persons being electronically monitored  
46 by offense committed. The report shall also include a  
47 comparison of any data from the prior fiscal year with  
48 the current year.

49       Sec. 30. STATE AGENCY PURCHASES FROM PRISON  
50 INDUSTRIES.

1 1. As used in this section, unless the context  
2 otherwise requires, "state agency" means the government  
3 of the state of Iowa, including but not limited to  
4 all executive branch departments, agencies, boards,  
5 bureaus, and commissions, the judicial branch,  
6 the general assembly and all legislative agencies,  
7 institutions within the purview of the state board of  
8 regents, and any corporation whose primary function is  
9 to act as an instrumentality of the state.

10 2. State agencies are hereby encouraged to purchase  
11 products from Iowa state industries, as defined in  
12 section 904.802, when purchases are required and the  
13 products are available from Iowa state industries.  
14 State agencies shall obtain bids from Iowa state  
15 industries for purchases of office furniture during the  
16 fiscal year beginning July 1, 2012, exceeding \$5,000  
17 or in accordance with applicable administrative rules  
18 related to purchases for the agency.

19 Sec. 31. IOWA LAW ENFORCEMENT ACADEMY.

20 1. There is appropriated from the general fund of  
21 the state to the Iowa law enforcement academy for the  
22 fiscal year beginning July 1, 2012, and ending June 30,  
23 2013, the following amount, or so much thereof as is  
24 necessary, to be used for the purposes designated:

25 For salaries, support, maintenance, miscellaneous  
26 purposes, including jailer training and technical  
27 assistance, and for not more than the following  
28 full-time equivalent positions:

29 .....	\$	448,500
30 .....	FTEs	24.55

31 It is the intent of the general assembly that the  
32 Iowa law enforcement academy may provide training of  
33 state and local law enforcement personnel concerning  
34 the recognition of and response to persons with  
35 Alzheimer's disease.

36 The Iowa law enforcement academy may temporarily  
37 exceed and draw more than the amount appropriated in  
38 this subsection and incur a negative cash balance as  
39 long as there are receivables equal to or greater than  
40 the negative balance and the amount appropriated in  
41 this subsection is not exceeded at the close of the  
42 fiscal year.

43 2. The Iowa law enforcement academy may select  
44 at least five automobiles of the department of public  
45 safety, division of state patrol, prior to turning over  
46 the automobiles to the department of administrative  
47 services to be disposed of by public auction, and  
48 the Iowa law enforcement academy may exchange any  
49 automobile owned by the academy for each automobile  
50 selected if the selected automobile is used in training

1 law enforcement officers at the academy. However,  
2 any automobile exchanged by the academy shall be  
3 substituted for the selected vehicle of the department  
4 of public safety and sold by public auction with the  
5 receipts being deposited in the depreciation fund to  
6 the credit of the department of public safety, division  
7 of state patrol.

8 Sec. 32. STATE PUBLIC DEFENDER. There is  
9 appropriated from the general fund of the state to the  
10 office of the state public defender of the department  
11 of inspections and appeals for the fiscal year  
12 beginning July 1, 2012, and ending June 30, 2013, the  
13 following amounts, or so much thereof as is necessary,  
14 to be allocated as follows for the purposes designated:

15 1. For salaries, support, maintenance,  
16 miscellaneous purposes, and for not more than the  
17 following full-time equivalent positions:  
18 ..... \$ 24,083,182  
19 ..... FTEs 219.00  
20 2. For the fees of court-appointed attorneys for  
21 indigent adults and juveniles, in accordance with  
22 section 232.141 and chapter 815:

23 ..... \$ 29,680,929

24 Sec. 33. BOARD OF PAROLE. There is appropriated  
25 from the general fund of the state to the board of  
26 parole for the fiscal year beginning July 1, 2012, and  
27 ending June 30, 2013, the following amount, or so much  
28 thereof as is necessary, to be used for the purposes  
29 designated:

30 For salaries, support, maintenance, miscellaneous  
31 purposes, and for not more than the following full-time  
32 equivalent positions:  
33 ..... \$ 1,053,835  
34 ..... FTEs 12.50

35 Sec. 34. DEPARTMENT OF PUBLIC DEFENSE. There is  
36 appropriated from the general fund of the state to  
37 the department of public defense for the fiscal year  
38 beginning July 1, 2012, and ending June 30, 2013, the  
39 following amounts, or so much thereof as is necessary,  
40 to be used for the purposes designated:

41 1. MILITARY DIVISION  
42 For salaries, support, maintenance, miscellaneous  
43 purposes, and for not more than the following full-time  
44 equivalent positions:  
45 ..... \$ 5,527,042  
46 ..... FTEs 313.00

47 The military division may temporarily exceed  
48 and draw more than the amount appropriated in this  
49 subsection and incur a negative cash balance as long  
50 as there are receivables of federal funds equal to

1 or greater than the negative balance and the amount  
2 appropriated in this subsection is not exceeded at the  
3 close of the fiscal year.

4 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
5 DIVISION

6 For salaries, support, maintenance, miscellaneous  
7 purposes, and for not more than the following full-time  
8 equivalent positions:

9 ..... \$ 1,836,877  
10 ..... FTEs 40.00

11 a. The homeland security and emergency management  
12 division may temporarily exceed and draw more than the  
13 amount appropriated in this subsection and incur a  
14 negative cash balance as long as there are receivables  
15 of federal funds equal to or greater than the negative  
16 balance and the amount appropriated in this subsection  
17 is not exceeded at the close of the fiscal year.

18 b. It is the intent of the general assembly that  
19 the homeland security and emergency management division  
20 work in conjunction with the department of public  
21 safety, to the extent possible, when gathering and  
22 analyzing information related to potential domestic  
23 or foreign security threats, and when monitoring such  
24 threats.

25 Sec. 35. DEPARTMENT OF PUBLIC SAFETY. There is  
26 appropriated from the general fund of the state to  
27 the department of public safety for the fiscal year  
28 beginning July 1, 2012, and ending June 30, 2013, the  
29 following amounts, or so much thereof as is necessary,  
30 to be used for the purposes designated:

31 1. For the department's administrative functions,  
32 including the criminal justice information system, and  
33 for not more than the following full-time equivalent  
34 positions:

35 ..... \$ 4,007,075  
36 ..... FTEs 36.00

37 2. For the division of criminal investigation,  
38 including the state's contribution to the peace  
39 officers' retirement, accident, and disability system  
40 provided in chapter 97A in the amount of the state's  
41 normal contribution rate, as defined in section  
42 97A.8, multiplied by the salaries for which the  
43 funds are appropriated, to meet federal fund matching  
44 requirements, and for not more than the following  
45 full-time equivalent positions:

46 ..... \$ 12,533,931  
47 ..... FTEs 159.10

48 The department shall employ one additional special  
49 agent and one additional criminalist for the purpose  
50 of investigating cold cases. Prior to employing the

1 additional special agent and criminalist authorized  
2 in this paragraph, the department shall provide a  
3 written statement to prospective employees that states  
4 to the effect that the positions are being funded by  
5 a temporary federal grant and there are no assurances  
6 that funds from other sources will be available after  
7 the federal funding expires. If the federal funding  
8 for the additional positions expires during the fiscal  
9 year, the number of full-time equivalent positions  
10 authorized in this subsection is reduced by 2.00 FTEs.

11 3. For the criminalistics laboratory fund created  
12 in section 691.9:

13 ..... \$ 302,345

14 4. a. For the division of narcotics enforcement,  
15 including the state's contribution to the peace  
16 officers' retirement, accident, and disability system  
17 provided in chapter 97A in the amount of the state's  
18 normal contribution rate, as defined in section  
19 97A.8, multiplied by the salaries for which the  
20 funds are appropriated, to meet federal fund matching  
21 requirements, and for not more than the following  
22 full-time equivalent positions:

23 ..... \$ 6,429,884

24 ..... FTEs 74.00

25 b. For the division of narcotics enforcement for  
26 undercover purchases:

27 ..... \$ 109,042

28 5. For the division of state fire marshal, for fire  
29 protection services as provided through the state fire  
30 service and emergency response council as created in  
31 the department, and for the state's contribution to the  
32 peace officers' retirement, accident, and disability  
33 system provided in chapter 97A in the amount of the  
34 state's normal contribution rate, as defined in section  
35 97A.8, multiplied by the salaries for which the funds  
36 are appropriated, and for not more than the following  
37 full-time equivalent positions:

38 ..... \$ 4,298,707

39 ..... FTEs 55.00

40 6. For the division of state patrol, for salaries,  
41 support, maintenance, workers' compensation costs,  
42 and miscellaneous purposes, including the state's  
43 contribution to the peace officers' retirement,  
44 accident, and disability system provided in chapter 97A  
45 in the amount of the state's normal contribution rate,  
46 as defined in section 97A.8, multiplied by the salaries  
47 for which the funds are appropriated, and for not more  
48 than the following full-time equivalent positions:

49 ..... \$ 55,403,233

50 ..... FTEs 533.00

1 It is the intent of the general assembly that  
2 members of the state patrol be assigned to patrol  
3 the highways and roads in lieu of assignments for  
4 inspecting school buses for the school districts.

5 7. For deposit in the sick leave benefits fund  
6 established under section 80.42 for all departmental  
7 employees eligible to receive benefits for accrued sick  
8 leave under the collective bargaining agreement:  
9 ..... \$ 279,517

10 8. For costs associated with the training and  
11 equipment needs of volunteer fire fighters:  
12 ..... \$ 760,520

13 a. Notwithstanding section 8.33, moneys  
14 appropriated in this subsection that remain  
15 unencumbered or unobligated at the close of the fiscal  
16 year shall not revert but shall remain available for  
17 expenditure only for the purpose designated in this  
18 subsection until the close of the succeeding fiscal  
19 year.

20 b. Notwithstanding section 8.39, within the  
21 moneys appropriated in this section, the department  
22 of public safety may reallocate moneys as necessary  
23 to best fulfill the needs provided for in the  
24 appropriation. However, the department shall not  
25 reallocate an appropriation made to the department  
26 in this section unless notice of the reallocation  
27 is given to the legislative services agency and  
28 the department of management prior to the effective  
29 date of the reallocation. The notice shall include  
30 information regarding the rationale for reallocating  
31 the appropriation. The department shall not reallocate  
32 an appropriation made in this section for the purpose  
33 of eliminating any program.

34 Sec. 36. GAMING ENFORCEMENT.

35 1. There is appropriated from the gaming  
36 enforcement revolving fund created in section 80.43 to  
37 the department of public safety for the fiscal year  
38 beginning July 1, 2012, and ending June 30, 2013, the  
39 following amount, or so much thereof as is necessary,  
40 to be used for the purposes designated:

41 For any direct and indirect support costs for  
42 agents and officers of the division of criminal  
43 investigation's excursion gambling boat, gambling  
44 structure, and racetrack enclosure enforcement  
45 activities, including salaries, support, maintenance,  
46 miscellaneous purposes, and for not more than the  
47 following full-time equivalent positions:  
48 ..... \$ 9,836,306  
49 ..... FTEs 120.00

50 2. For each additional license to conduct gambling

1 games on an excursion gambling boat, gambling  
2 structure, or racetrack enclosure issued during  
3 the fiscal year beginning July 1, 2012, there is  
4 appropriated from the gaming enforcement fund to  
5 the department of public safety for the fiscal year  
6 beginning July 1, 2012, and ending June 30, 2013, an  
7 additional amount of not more than \$521,000 to be used  
8 for not more than 6.00 additional full-time equivalent  
9 positions.

10 3. The department of public safety, with the  
11 approval of the department of management, may employ  
12 no more than two special agents and four gaming  
13 enforcement officers for each additional riverboat  
14 or gambling structure regulated after July 1, 2012,  
15 and one special agent for each racing facility which  
16 becomes operational during the fiscal year which  
17 begins July 1, 2012. One additional gaming enforcement  
18 officer, up to a total of four per riverboat or  
19 gambling structure, may be employed for each riverboat  
20 or gambling structure that has extended operations to  
21 24 hours and has not previously operated with a 24-hour  
22 schedule. Positions authorized in this subsection  
23 are in addition to the full-time equivalent positions  
24 otherwise authorized in this section.

25 Sec. 37. CIVIL RIGHTS COMMISSION. There is  
26 appropriated from the general fund of the state to the  
27 Iowa state civil rights commission for the fiscal year  
28 beginning July 1, 2012, and ending June 30, 2013, the  
29 following amount, or so much thereof as is necessary,  
30 to be used for the purposes designated:

31 For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-time  
33 equivalent positions:

34 ..... \$ 1,297,069  
35 ..... FTEs 28.00

36 The Iowa state civil rights commission may enter  
37 into a contract with a nonprofit organization to  
38 provide legal assistance to resolve civil rights  
39 complaints.

40 Sec. 38. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
41 DIVISION. There is appropriated from the wireless  
42 E911 emergency communications fund created in section  
43 34A.7A to the administrator of the homeland security  
44 and emergency management division of the department of  
45 public defense for the fiscal year beginning July 1,  
46 2012, and ending June 30, 2013, an amount not exceeding  
47 \$200,000 to be used for implementation, support, and  
48 maintenance of the functions of the administrator and  
49 program manager under chapter 34A and to employ the  
50 auditor of the state to perform an annual audit of the

1 wireless E911 emergency communications fund.  
2 Sec. 39. SUPERVISORY EMPLOYEES TO OTHER EMPLOYEES  
3 — RATIO. Notwithstanding section 8A.402, subsection  
4 2, paragraph "g", for the fiscal year beginning July  
5 1, 2011, the department of corrections, department of  
6 public safety, and the judicial district departments of  
7 correctional services shall be exempt from the target  
8 ratio of supervisory employees to other employees  
9 otherwise applicable for that fiscal year under section  
10 8A.402, subsection 2, paragraph "g".>